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Office Supreme Court U. S.
FILED
SEP 26 1905
JAMES H. McKENNEY,
Clerk.

IN THE

Supreme Court of the State of Kansas.

No. 5, Original. 3 Orig'l.

C. T. 1906

THE STATE OF KANSAS, COMPLAINANT,

vs.

THE STATE OF COLORADO ET AL., DEFENDANTS;
THE UNITED STATES, INTERVENOR.

Motion to Assign Case for Argument, &c.

Comes now C. C. Coleman, attorney general of the State of Kansas, and in behalf of the said complainant, The State of Kansas, moves this honorable court that a rule or an order be entered in this cause advancing the same upon the docket of the court and setting the same down for final argument before this court at a time to be fixed by the court, and a further rule or order specifying the time within which briefs and written arguments for the said complainant, the said defendants, and the said intervenor shall be filed with this proceeding, and such other and further orders in con-

nection with the assignment of said cause for final hearing as to the court shall seem just, equitable, and reasonable.

C. C. COLEMAN,
Attorney General of Kansas.

N. H. LOOMIS,
F. DUMONT SMITH,
S. P. ASHBAUGH,
Of Counsel.

[Endorsed:] Supreme Court U. S., October term, 1905. Term No. 7, original. The State of Kansas, complainant, *vs.* The State of Colorado *et al.* Motion to fix day for hearing of cause and for an order as to filing of briefs. Filed Sept. 26th, 1905.

Original,

t Term, 1903.

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MAR 7
JAMES H. McK

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No. 3 Orig

O. T. 190

REPLICATION OF THE COMPLAINANT

TO THE SEPARATE ANSWER OF THE DEFENDANT

The Graham Ditch Company.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

C. C. COLEMAN,
Attorney-general.

In the Supreme Court
of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No..... .....

REPLICATION

of the complainant to the separate answer of the defendant

The Graham Ditch Company.

COMES now the said The State of Kansas, complainant, saving and reserving to itself all and all manner of advantage and exception which may be had and taken to the manifold errors, uncertainties and insufficiencies of the answer of the defendant The Graham Ditch Company to the amended bill of complaint, filed herein, for replication thereunto says that it does and will aver, maintain and prove its said amended bill of complaint to be true, certain and sufficient in the law to be answered unto by the said defendant, and that the answer of the said defendant is very uncertain, evasive and insufficient in the law to be replied unto by this complainant; without this, that any other matter or thing in the said answer contained material or effectual in the law to be replied unto and not herein and hereby well and sufficiently replied unto, confessed or avoided, traversed or denied, is true;

all which matters and things this complainant is ready to aver, maintain and prove as this honorable court shall direct; and the said complainant humbly prays as in and by its said amended bill it has already prayed.

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

t. Term, 1903.

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MAR 7 190
JAMES H. McKENNEY
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In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No. 3 Orig'l
O. T. 190

REPLICATION OF THE COMPLAINANT

TO THE SEPARATE ANSWER OF THE DEFENDANT

The Colorado Fuel and Iron Company.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

C. C. COLEMAN,
Attorney-general.

In the Supreme Court
of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORODO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No.....

REPLICATION

of the complainant to the separate answer of the defendant

The Colorado Fuel and Iron Company.

COMES now the said The State of Kansas, complainant, saving and reserving to itself all and all manner of advantage and exception which may be had and taken to the manifold errors, uncertainties and insufficiencies of the answer of the defendant The Colorado Fuel and Iron Company to the amended bill of complaint, filed herein, for replication thereunto says that it does and will aver, maintain and prove its said amended bill of complaint to be true, certain and sufficient in the law to be answered unto by the said defendant, and that the answer of the said defendant is very uncertain, evasive and insufficient in the law to be replied unto by this complainant; without this, that any other matter or thing in the said answer contained material or effectual in the law to be replied unto and not herein and hereby well and sufficiently replied unto, confessed or avoided, traversed or denied, is true; all which matters and things this com-

plainant is ready to aver, maintain and prove as this honorable court shall direct; and the said complainant humbly prays as in and by its said amended bill it has already prayed.

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

Original,

Oct. Term, 1908.

FILED
MAR 7 19
JAMES H. McKENNEY

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No. 3 Orig.
O. T. 190

REPLICATION OF THE COMPLAINANT

TO THE SEPARATE ANSWER OF THE DEFENDANT

The Rocky Ford Canal, Reservoir, Land, Loan and Trust Company.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

C. C. COLEMAN,
Attorney-general.

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No .....

REPLICATION

of the complainant to the separate answer of the defendant

The Rocky Ford Canal, Reservoir, Land, Loan and Trust Company.

Comes now the said The State of Kansas, complainant, saving and reserving to itself all and all manner of advantage and exception which may be had and taken to the manifold errors, uncertainties and insufficiencies of the answer of the defendant The Rocky Ford Canal, Reservoir, Land, Loan and Trust Company to the amended bill of complaint, filed herein, for replication thereunto says that it does and will aver, maintain and prove its said amended bill of complaint to be true, certain and sufficient in the law to be answered unto by the said defendant, and that the answer of the said defendant is very uncertain, evasive and insufficient in the law to be replied unto by this complainant; without this, that any other matter or thing in the said answer contained material or effectual in the law to be replied unto and not herein and hereby well and sufficiently replied unto, confessed or avoided,

traversed or denied, is true; all which matters and things this complainant is ready to aver, maintain and prove as this honorable court shall direct; and the said complainant humbly prays as in and by its said amended bill it has already prayed.

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

Original, [illegible]

ct. Term, 1903.

FILED
MAR 7 19
JAMES H. McKENNE

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No. 3 Orig
O. T. 190

REPLICATION OF THE COMPLAINANT

TO THE SEPARATE ANSWER OF THE DEFENDANT

The Catlin Consolidated Canal Company.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

C. C. COLEMAN,
Attorney-general.

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No .....

REPLICATION

of the complainant to the separate answer of the defendant

The Catlin Consolidated Canal Company.

COMES now the said The State of Kansas, complainant, saving and reserving to itself all and all manner of advantage and exception which may be had and taken to the manifold errors, uncertainties and insufficiencies of the answer of the defendant The Catlin Consolidated Canal Company to the amended bill of complaint, filed herein, for replication thereunto says that it does and will aver, maintain and prove its said amended bill of complaint to be true, certain and sufficient in the law to be answered unto by the said defendant, and that the answer of the said defendant is very uncertain, evasive and insufficient in the law to be replied unto by this complainant; without this, that any other matter or thing in the said answer contained material or effectual in the law to be replied unto and not herein and hereby well and sufficiently replied unto, confessed or avoided, traversed or denied,

is true; all which matters and things this complainant is ready to aver, maintain and prove as this honorable court shall direct; and the said complainant humbly prays as in and by its said amended bill it has already prayed.

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

Original,

Oct. Term, 1903.

FILED
MAR 7
JAMES H. McKENN

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No. 3 Orig.
C. T. 190

REPLICATION OF THE COMPLAINANT

TO THE SEPARATE ANSWER OF THE DEFENDANT

The Laguna Canal Company (in the amended bill called The Lake Canal Company, a corporation).

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No. .....

REPLICATION

of the complainant to the separate answer of the defendant

The Laguna Canal Company (in the amended bill called The Lake Canal Company, a corporation).

COMES now the said The State of Kansas, complainant, saving and reserving to itself all and all manner of advantage and exception which may be had and taken to the manifold errors, uncertainties and insufficiencies of the answer of the defendant The Laguna Canal Company (in the amended bill called The Lake Canal Company) a corporation, to the amended bill of complaint, filed herein, for replication thereunto says that it does and will aver, maintain and prove its said amended bill of complaint to be true, certain and sufficient in the law to be answered unto by the said defendant, and that the answer of the said defendant is very uncertain, evasive and insufficient in the law to be replied unto by this complainant; without this, that any other matter or thing in the said answer contained material or effectual in the law to be replied unto and not herein and hereby well and sufficiently

replied unto, confessed or avoided, traversed or denied, is true; all which matters and things this complainant is ready to aver, maintain and prove as this honorable court shall direct; and the said complainant humbly prays as in and by its said amended bill it has already prayed.

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

Original,

Term, 1903.

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In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No. 3 Orig'l
C. T. 190

REPLICATION OF THE COMPLAINANT

TO THE SEPARATE ANSWER OF THE DEFENDANT

The Oxford Ditch Company.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

C. C. COLEMAN,
Attorney-general.

In the Supreme Court
of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

} *No*.....

REPLICATION

of the complainant to the separate answer of the defendant

The Oxford Ditch Company.

COMES now the said The State of Kansas, complainant, saving and reserving to itself all and all manner of advantage and exception which may be had and taken to the manifold errors, uncertainties and insufficiencies of the answer of the defendant The Oxford Ditch Company to the amended bill of complaint, filed herein, for replication thereunto says that it does and will aver, maintain and prove its said amended bill of complaint to be true, certain and sufficient in the law to be answered unto by the said defendant, and that the answer of the said defendant is very uncertain, evasive and insufficient in the law to be replied unto by this complainant; without this, that any other matter or thing in the said answer contained material or effectual in the law to be replied unto and not herein and hereby well and sufficiently replied unto, confessed or avoided, traversed or denied, is true; all which matters

and things this complainant is ready to aver, maintain and prove as this honorable court shall direct; and the said complainant humbly prays as in and by its said amended bill it has already prayed.

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

Original,

Oct. Term, 1903.

Supreme Court U.S.
FILED
MAR 7 1904
JAMES H. McKENNEY,
Clerk

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No. 3 Orig'l
O. T. 1903

REPLICATION OF THE COMPLAINANT

TO THE SEPARATE ANSWER OF
THE DEFENDANT

The Fort Lyon Canal Company.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

C. C. COLEMAN,
Attorney-general.

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

} *No*.....

REPLICATION

of the complainant to the separate answer of the defendant

The Fort Lyon Canal Company.

Comes now the said The State of Kansas, complainant, saving and reserving to itself all and all manner of advantage and exception which may be had and taken to the manifold errors, uncertainties and insufficiencies of the answer of the defendant The Fort Lyon Canal Company to the amended bill of complaint, filed herein, for replication thereunto says that it does and will aver, maintain and prove its said amended bill of complaint to be true, certain and sufficient in the law to be answered unto by the said defendant, and that the answer of the said defendant is very uncertain, evasive and insufficient in the law to be replied unto by this complainant; without this, that any other matter or thing in the said answer contained material or effectual in the law to be replied unto and not herein and hereby well and sufficiently replied unto, confessed or avoided, traversed or denied, is true; all which matters and things this complainant

is ready to aver, maintain and prove as this honorable court shall direct; and the said complainant humbly prays as in and by its said amended bill it has already prayed.

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

Original,

Term, 1903.

FILED
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JAMES H. McKENN

In the Supreme Court

of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No. 3 Orig'l

O. T. 190

REPLICATION OF THE COMPLAINANT

TO THE SEPARATE ANSWER OF THE DEFENDANT

The State of Colorado.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

C. C. COLEMAN,
Attorney-general.

In the Supreme Court
of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants.*

} *No* .....

REPLICATION

of the complainant to the separate answer of the defendant

The State of Colorado.

Comes now the said The State of Kansas, complainant, saving and reserving to itself all and all manner of advantage and exception which may be had and taken to the manifold errors, uncertainties and insufficiencies of the answer of the defendant The State of Colorado to the amended bill of complaint, filed herein, for replication thereunto says that it does and will aver, maintain and prove its said amended bill of complaint to be true, certain and sufficient in the law to be answered unto by the said defendant, and that the answer of the said defendant is very uncertain, evasive and insufficient in the law to be replied unto by this complainant; without this, that any other matter or thing in the said answer contained material or effectual in the law to be replied unto and not herein and hereby well and sufficiently replied unto, confesssed or avoided, traversed or denied, is true; all which matters and things this complain-

ant is ready to aver, maintain and prove as this honorable court shall direct; and the said complainant humbly prays as in and by its said amended bill it has already prayed.

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

Oct. Term, 1903.

Office Supreme Court
FILED
MAR 7
JAMES H. McKENNEY

In the Supreme Court

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THE STATE OF KANSAS, *Complainant*,

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No. 3 Orig'l.
O. T. 1906

REPLICATION OF THE COMPLAINANT

TO THE SEPARATE ANSWER OF THE DEFENDANT

The Arkansas Valley Sugar-beet and Irrigated Land Company.

N. H. LOOMIS,
F. DUMONT SMITH,
S. S. ASHBAUGH,
Attorneys for Complainant.

C. C. COLEMAN,
Attorney-general.

In the Supreme Court
of the United States.

THE STATE OF KANSAS, *Complainant*,

vs.

THE STATE OF COLORADO; and THE BESSEMER DITCH COMPANY, a corporation; THE OXFORD DITCH COMPANY, a corporation; THE OTERO CANAL COMPANY, a corporation; THE LAGUNA CANAL COMPANY, a corporation (in the amended bill called The Lake Canal Company, a corporation); THE RIVERSIDE DITCH COMPANY, a corporation; THE CATLIN CONSOLIDATED CANAL COMPANY, a corporation; THE GRAHAM DITCH COMPANY, a corporation; THE LAMAR LAND AND CANAL COMPANY, a corporation; THE AMITY CANAL AND RESERVOIR COMPANY, a corporation; THE ROCKY FORD CANAL, RESERVOIR, LAND, LOAN AND TRUST COMPANY, a corporation; THE FORT LYON CANAL COMPANY, a corporation; THE COLORADO LAND AND CANAL COMPANY, a corporation; THE GREAT PLAINS WATER COMPANY, a corporation; THE ARKANSAS VALLEY SUGAR-BEET AND IRRIGATED LAND COMPANY, a corporation; THE COLORADO FUEL AND IRON COMPANY, a corporation; and THE BENT OTERO IMPROVEMENT COMPANY, a corporation, *Defendants*.

No......

REPLICATION

of the complainant to the separate answer of the defendant

The Arkansas Valley Sugar-beet and Irrigated Land Company.

COMES now the said The State of Kansas, complainant, saving and reserving to itself all and all manner of advantage and exception which may be had and taken to the manifold errors, uncertainties and insufficiencies of the answer of the defendant The Arkansas Valley Sugar-beet and Irrigated Land Company to the amended bill of complaint, filed herein, for replication thereunto says that it does and will aver, maintain and prove its said amended bill of complaint to be true, certain and sufficient in the law to be answered unto by the said defendant, and that the answer of the said defendant is very uncertain, evasive and insufficient in the law to be replied unto by this complainant; without this, that any other matter or thing in the said answer contained material or effectual in the law to be replied unto and not herein and hereby well and sufficiently replied unto, confessed or avoided,

traversed or denied, is true; all which matters and things this complainant is ready to aver, maintain and prove as this honorable court shall direct; and the said complainant humbly prays as in and by its said amended bill it has already prayed.

C. C. COLEMAN,
Attorney-general.

N. H. LOOMIS,
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